

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD LEE CARMICHAEL,

Plaintiff,

v.

WILLIAM RILEY, *et al.*,

Defendants.

Case No. C06-5542 RJB/KLS

ORDER TO SHOW CAUSE
REGARDING PLAINTIFF'S
MOTION TO CORRESPOND WITH
WASHINGTON STATE PRISONERS

Presently before the Court is Plaintiff's Motion to Correspond with Washington State Prisoners (Dkt. # 12) and Supplement to Correspond with Washington State Prisoners (Dkt. # 60). Plaintiff advises the Court that since the filing of his original motion, Plaintiff's counselor in Washington has taken steps to assure that all of his requests to correspond with other Washington state prisoners were processed and approved.¹ (Dkt. # 60). However, Plaintiff states that the Associate Warden of Programs in Nevada, where Plaintiff is currently housed, will not allow Plaintiff to receive the approved correspondence from Washington prisoners without a court order. (*Id.*, p. 2; Declaration of Richard Carmichael).

It appears that Plaintiff has taken all the preliminary steps necessary pursuant to DOC Policy 450.100, Mail for Offenders. Accordingly, it is **ORDERED**:

(1) Defendants shall file a response specifically addressing what steps they have taken or

¹Only one request, to Sterling Jarnigan, remains outstanding as Mr. Jarnigan is not housed in a DOC facility and has refused to respond to Plaintiff's request to correspond. (Dkt. # 57). That request is not the subject of Plaintiff's motion or this Order.

1 can take to facilitate receipt of the approved correspondence by Plaintiff, who is a Washington
2 prisoner housed in an out-of-state facility. Defendants shall respond to this Order to Show Cause
3 **no later than December 17, 2007.**

4 (2) The Clerk of the Court shall re-note Plaintiff's motion to correspond (Dkt. # 44) for
5 **December 17, 2007.**

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7 DATED this 6th day of December, 2007.

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11 Karen L. Strombom
12 United States Magistrate Judge
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